

## NEVADA DEPARTMENT OF EDUCATION

### Notice of Workshop to Solicit Comments on Proposed Regulation

The Nevada Department of Education is proposing regulation language pertaining to the Nevada Administrative Code. The Workshop has been scheduled for **December 14, 2015** via video conference at the following locations: **Nevada Department of Education Offices, Board Conference Room, 700 East Fifth Street, Board Room, Carson City and 9890 South Maryland Parkway, 2<sup>nd</sup> Floor Board Conference Room, Las Vegas, Nevada.** The purpose of the Workshop is to solicit comments from interested person on the following general topics to be addressed in a proposed regulation:

**9:15 A.M. Workshop to solicit comments on proposed amendments to NAC Chapters 386 and 387. The proposed amendments concern: the requirements of annual audits of charter schools and required training for prospective auditors; clarifies how a committee to form or charter school may use a non-profit entity to raise funds on behalf of a proposed charter school; clarifies the accountability of sponsors of charter schools; clarifies between a charter school, charter school facility, and a charter school campus and clarifies the manner in which data is reported in matters relating to performance, attendance and discipline among multi-campus schools; clarifies the procedures governing a sponsor's charter contract; creates procedures to restart a charter school under a new charter contract; amends requirements for enrollment practices for charter schools including, but not limited to, the applicability of weighted lotteries; and considers requiring charter schools to identify themselves as public charter schools**

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting by telephone Karen Johansen, State Board of Education Office, Nevada Department of Education, at 775-687-9225, or in writing to the Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096. A reasonable fee for copying may be charged.

This Notice of Workshop to Solicit Comments on Proposed Regulation has been sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations: The offices of the Nevada Department of Education in Carson City and Las Vegas, the 17 Nevada School District Superintendents' Offices, the 17 Nevada County main public libraries, the Nevada State Library and Archives, and at the meeting locations.

BRIAN SANDOVAL  
Governor

STATE OF NEVADA

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**SMALL BUSINESS IMPACT STATEMENT  
PURSUANT TO NRS 233B.0608**

Date: November 24, 2015

Re: Workshop to Adopt Regulations in NAC Chapters 386 and 387 Concerning Charter Schools,  
Scheduled for December 14, 2015 at 9:30am.

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I, Steve Canavero, Interim Superintendent of Public Instruction, do hereby certify that, to the best of my knowledge or belief:

1. The proposed regulation amendments and additions to be added to the NAC Chapters 386 and 387 concerning charter schools are not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business. The proposed regulation amendments and additions make necessary changes to charter school regulations per SB509, SB460, and the authority given to the Nevada Department of Education in NRS 386.540.
2. A concerted effort was made to determine any economic burden.
3. All relevant materials were reviewed and the Department considered its history with implementing similar regulations; the proposed changes are within the historic scope of the Department's activities and present no new cost of enforcement.
4. Comment has not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or economic impact can be assessed.

I hereby further certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Steve Canavero".

Steve Canavero  
Interim Superintendent of Public Instruction

## **Finance Regulations**

- Provides for an annual audit guide aligned with best authorizing practice pursuant to SB509
- Clarifies how a committee to form or charter school may utilize a 501c3 to raise funds during startup
- Provides for an RFQ process to pre-qualify auditors with the expertise and experience to audit charter schools pursuant to SB509
- Clarifies that the analysis and findings on compliance with applicable regulations must align with the performance indicators for organization in the sponsor's performance framework
- Clarifies that the engagement letter between the auditor and the governing body must be negotiated, approved, and executed prior to the commencement of the audit and prescribes a deadline of one month after the close of the fiscal year

## **Charter Sponsor Accountability**

- Clarifies the distinction between a charter school, a charter school facility, and a charter school campus
- Distinguishes between single campus charter schools and multi-campus charter schools
- Provides for the transfer of charter contracts to active sponsors if the State Board revokes a sponsor's authority
- Aligns sponsor responsibilities with SB509 and the CSP grant

### **Charter school accountability**

- Clarifies that any policy or requirement incorporated by a sponsor which is a state agency into its standard charter contract is a contractual term, not a rule of general applicability, and hence is not subject to the Administrative Procedures Act.
- Clarifies the accountability requirements for multi-campus schools for the purposes of reporting and evaluation
- Provides for a school operating multiple facilities to apply for multi-campus designation or for an authorizer to determine that it will be classified as a multi-campus school for the purposes of transparency and accountability.
- Provides for a multi-campus school to convert to a single campus school under some circumstances
- Defines and describes the restart process require in SB460

## **Enrollment practices**

- Provides for schools to identify themselves as public charter schools in all branding
- Clarifies the applicability of Weighted Lotteries based on federal guidance and best practice pursuant to CSP grant and SB509
- Clarifies that an approved weighted lottery consistent with federal law is not considered discriminatory under state law
- Clarifies how a charter school which operates both a fee-based and a state-funded (e.g. federal PreK grant) pre-K program can enroll students in a manner consistent with federal guidance and best practice